

IN THE CLAIMS

This listing of claims will replace all prior versions, and listing, of claims in this application.

Listing of Claims:

157. (Currently Amended) A computerized system capable of multiple rounds for automated bargaining to achieve a binding bargained payment for a transaction, comprising:

a device capable of receiving data as input signals wherein the input signals comprise one or more offers for sale from at least one first party and one or more offers to purchase from at least one second party, wherein the offers are compared round by round and can be submitted round by round and one or both parties may submit more than one offer before the completion of any round, wherein each such offer corresponds to a sequential round; and

means for receiving at least one predetermined criterion against which the parties offer for sale and offer to purchase are compared to determine if a binding bargained payment has been achieved;

a processor operable to analyze said data ~~by~~ and compare each ~~comparing the~~ offers for sale and each corresponding offer to purchase ~~corresponding to a~~ in the first round to determine if they satisfy a the first predetermined criterion; and

if the first round offers satisfy ~~the~~ that criterion, a response device will indicate that the comparison analysis has produced an agreement on a binding bargained payment

that is calculated as a function of at least one of the offers in the first round;

if, however, the analysis of said data indicates that the first round offers do not satisfy the criterion for achieving a binding bargained payment for the first round, then, said system permits parties on both sides of the transaction to engage in at least one subsequent round by each party submitting at least one offer after the first round has been completed or based on the submission of a second round offer before the completion of the first round;

the processor will then analyze the next round of offers for sale and offer to purchase ~~then in the system~~ by comparing the those offers ~~for the subsequent round~~ and to determine if they satisfy the criterion for that round; and

if the offers for that ~~the~~ subsequent round satisfy the criterion for that round a the response device will indicate that the comparison analysis has produced a binding bargained payment calculated as a function of at least one of the offers for that round;

if, however, the offers in the subsequent round do not satisfy the criterion for that round, the system is capable of conducting any number of subsequent rounds on the same or similar basis;

the system being so configured that

(a) different predetermined criterion can be applied, if desired, to rounds subsequent to the first round and

(b) during a given round no indication of the amount of any offer from one party for that round is provided for use by the party on the opposite side of the transaction and no indication of the amount of any offer for purchase for that round is provided for use by the first party.

158. (Previously Presented) A system according to claim 157 wherein for at least one of the rounds, the processor is capable of being configured such that the predetermined criterion is a specified percentage difference between the offers in that round.
159. (Previously Presented) A system according to claim 158 wherein the processor is configured to select a specific percentage difference amount.
160. (Previously Presented) A system according to claim 158 wherein the percentage difference is from about 5% to about 50%.
161. (Previously Presented) A system according to claim 158 wherein the processor is configured to use the same percentage difference for one or more of the rounds.
162. (Previously Presented) A system according to claim 157 wherein for at least one of the rounds, the processor is operable to determine whether the offers satisfy the criterion for that round by determining whether the offers differ from one another by a specified amount or percentage.
163. (Previously Presented) A system according to claim 162 wherein the processor is controllable to select a specified amount.
164. (Previously Presented) A system according to claim 162 wherein the processor is controllable to use the same specified amount for one or more than one round.
165. (Previously Presented) A system according to claim 157 wherein for at least one round, the processor is operable: a) to determine whether the offers satisfy the criterion for the round, by multiplying one of the offers by a predetermined factor to produce a result; b) to compare that result with the offer of a party on the opposite side of the transaction; and c) to determine whether the outcome of the comparison falls within a predetermined range.

166. (Previously Presented) A system according to claim 165 wherein the processor is operable to select a predetermined range within which offers need to be to produce a binding bargained payment.
167. (Previously Presented) A system according to claim 157 wherein for at least one round, the processor is operable to calculate a criterion which the offers of the parties must meet to produce a binding bargained payment as a function of at least one of the offers in that round.
168. (Previously Presented) A system according to claim 157 where the response device provides the response to at least one of the parties that a binding bargained payment has been produced in that round.
169. (Previously Presented) A system according to claim 157 wherein the response device provides the response to at least one first party and at least one second party that a binding bargained payment has not been produced in that round.
170. (Previously Presented) A system according to claim 157 wherein, before commencing the second or subsequent round, the processor informs the parties if the offers do not satisfy the criterion for the first or previous round.
171. (Previously Presented) A system according to claim 170 wherein the processor informs the parties if the offers in a subsequent round do not satisfy the criterion for that round before commencing a further subsequent round.
172. (Previously Presented) A system according to claim 157 wherein the number of rounds is three.
173. (Previously Presented) A system according to claim 157 wherein the processor is operable to change the criterion used in one or more of the rounds.
174. (Previously Presented) A system according to claim 173 wherein the processor changes

the criterion used in the rounds in response to a request received from at least one of the parties.

175. (Previously Presented) A system according to claim 157 wherein the processor is operable to change how the binding bargained payment is calculated as a function of at least one of the offers in that round.
176. (Previously Presented) A system according to claim 157 wherein a login procedure is provided so that only parties with proper authentication data to use the system can log in.
177. (Previously Presented) A system according to claim 176 wherein the processor provides a response to the parties as to whether or not the offers satisfy the criterion only upon entry of authentication data.
178. (Previously Presented) A system according to claim 157 which communicates with at least one of the first and second parties through a network.
179. (Previously Presented) A system according to claim 178 linked to the Internet to communicate with said first and second parties via the Internet.
180. (Previously Presented) A system according to claim 157 wherein the offers are monetary.
181. (Previously Presented) A system according to claim 180 wherein the monetary offers are in different currencies, and the system includes a currency converter to convert the monetary offers into a common currency in order to permit a comparison thereof.
182. (Previously Presented) A system according to claim 157 which sends one or more predetermined messages to the parties when the outcome of the comparison of offers fails to satisfy the predetermined criterion but is within a predetermined acceptance limit.
183. (Previously Presented) A system according to claim 182 wherein a facilitating message is sent.

184. (Previously Presented) A system according to claim 157 wherein a plurality of offers are submitted by at least one party prior to the completion of the first round.
185. (Previously Presented) A system according to claim 157 wherein the system is operable to accept, before the completion of any given round, one offer or a plurality of offers by at least one party, one such offer corresponding to the present round and each such other offers corresponding to sequential rounds.
186. (Previously Presented) A system according to claim 157 which further provides for at least one
- power round which is activated by at least one party to the transaction,
- if no binding bargained agreement is reached after an agreed upon number
- of rounds has failed to generate such agreement,
- the system further comprising a device which sends an inquiry to the parties
- inquiring whether one or more parties want to engage in a power round, and if at least one affirmative answer is received,
- applying either the same or a different criterion for the power round.
187. (Previously Presented) A system according to claim 186 wherein the power round criterion is the same criterion used in one of the preceding rounds.
188. (Previously Presented) A system according to claim 186 wherein the power round criterion
- applied is different from the criterion of one or more of the preceding rounds.
189. (Previously Presented) A system according to claim 186 wherein the power round is activated
- by the purchase of the power round.
190. (Previously Presented) A system according to claim 186 wherein the processor is

operable to change how the binding bargained payment is calculated as a function of at least one of the offers in that round.